

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

STANLEY J. SOBOTA	§	
v.	§	CIVIL ACTION NO. 9:05cv71
COMMISSIONER, SSA	§	

ORDER ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES
MAGISTRATE JUDGE

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this action, has been presented for consideration. The Report and Recommendation recommends that the complaint be dismissed without prejudice for failure to prosecute and failure to comply with an order of the court. The Report and Recommendation was issued after Plaintiff failed to file a brief as ordered. Plaintiff has not filed written objections to the Report and Recommendation. Rather, Plaintiff filed a motion for an extension of time to file his brief. The motion was granted and Plaintiff was given a deadline of October 10, 2005. To date, Plaintiff still has not filed a brief. The Court therefore concludes that the findings and conclusions of the Magistrate Judge are correct and are hereby adopted as those of the Court.

In light of the foregoing, it is

ORDERED that the complaint is hereby **DISMISSED** without prejudice. Any motion not previously ruled on is **DENIED**.

So **ORDERED** and **SIGNED** this **18** day of **October, 2005**.

A handwritten signature in black ink, appearing to read "Ron Clark", is written above a horizontal line.

Ron Clark, United States District Judge